

FILED
UNITED STATES DISTRICT COURT CLERKS OFFICE
DISTRICT OF MASSACHUSETTS

2004 JUN -1 A 10: 53

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

DIRECT MARKETING CONCEPTS, INC., d/b/a
TODAY'S HEALTH and DIRECT FULFILLMENT,
ITV DIRECT, INC., d/b/a DIRECT FULFILLMENT,
DONALD W. BARRETT,
HEALTHY SOLUTIONS, LLC d/b/a DIRECT
BUSINESS CONCEPTS,
HEALTH SOLUTIONS, INC.,
ALEJANDRO GUERRERO, a/k/a ALEX GUERRERO,
MICHAEL HOWELL, GREG GEREMESZ,
TRIAD ML MARKETING, INC., KING MEDIA, INC.,
and ALLEN STERN,

Defendants.

U.S. DISTRICT COURT
DISTRICT OF MASS.

Civ. No.

03 - 11136 GAO

MOTION FOR LEAVE TO FILE MEMORANDUM EXCEEDING PAGE LIMIT

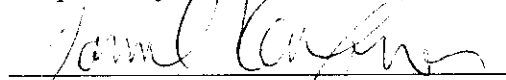
Plaintiff Federal Trade Commission ("Commission"), respectfully requests leave to file a Memorandum in Support of Plaintiff's Motion for Temporary Restraining Order with Appointment of Temporary Receiver, Asset Freeze and Asset Restriction, Retention of Records, Expedited Discovery and Order to Show Cause Why a Preliminary Injunction Should Not Issue as to certain of the defendants exceeding the page limit specified in Rule 7.1(b)(4) of the Local Rules.

The Commission has made every effort to be concise, yet thorough, in presenting the facts and the law necessary to decide its Motion for Temporary Restraining Order. That motion

raises a number of factual and legal issues that must be addressed in the memorandum, however, including a discussion of the defendants' claims that the dietary supplement Supreme Greens with MSM cures cancer, heart disease and other illnesses, the legal standards that are applicable when the Commission seeks such interim relief, and the need for the specific kinds of relief requested. Simply stated, the legal and factual discussions needed to support its request for a temporary restraining order against four individuals and four corporations necessitated exceeding the Court's page limit rule by a minimal amount (the memorandum is 27 pages long).

Wherefore, plaintiff respectfully requests that this Court issue an order allowing the filing of its Memorandum in excess of twenty (20) pages. For the Court's convenience, a proposed Order is provided along with this motion.

Respectfully submitted,



DANIEL KAUFMAN
KIAL S. YOUNG (BBO # 633515)
EDWARD GLENNON
Federal Trade Commission
600 Pennsylvania Avenue, NW,
NJ-3212
Washington, DC 20580
(202) 326-2675, - 3525, -3126 (voice)
(202) 326-3259 (fax)
dkaufman@ftc.gov, kyoung@ftc.gov or
eglennon@ftc.gov

ATTORNEYS FOR PLAINTIFF

DATE: June 1, 2004